

Review of Sample Plan and Policy Elements

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&
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Plan and Policy Elements

- 1. Bullying, Cyberbullying and Retaliation**
- 2. Prohibition of Bullying, Cyberbullying and Retaliation**
- 3. Prevention, Intervention, Response**
- 4. Reporting**
- 5. Investigation**
- 6. Disciplinary Actions**
- 7. Professional Development and Training**

Opening Thoughts

- **Information is presented as a starting point for school districts.**
- **The Department is in the process of developing the “Model Plan”**

OPENING THOUGHTS

School Climate/Culture

- An integral part of the District's comprehensive efforts to promote learning, eliminate all forms of violent, harmful, and disruptive behavior and enable students to achieve their personal and academic potential and become successful citizens in our increasingly diverse society.**

Bullying, Cyberbullying and Retaliation

“Bullying”

the repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture, or any combination thereof, directed at a target that:

- i. causes physical or emotional harm to the target or damage to the target’s property;**
- ii. places the target in reasonable fear of harm to himself or of damage to his property;**
- iii. creates a hostile environment at school for the target;**
- iv. infringes on the rights of the target at school; Or**
- v. materially and substantially disrupts the education process or the orderly operation of a school.**

“Cyberbullying”,

bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyberbullying shall also include

- the creation of a web page or blog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.**
- the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that maybe accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v) inclusive, of the definition of bullying.**

Retaliation

- **any form of intimidation, reprisal or harassment by a current student or former student under the age of 21 directed against a person in response to an action that person has taken or knowledge that the person has.**

Prohibition of Bullying, Cyberbullying and Retaliation

- Acts of bullying, cyberbullying, and retaliation are prohibited:
 - on school grounds, property immediately adjacent to school grounds, at a school sponsored or school -related activity, function or program whether on or off school grounds, at a school bus stop ,on a school bus or other vehicle owned ,leased or used by a school district or school, or through the use of technology or an electronic device owned, leased or used by a school district or school and
 - at a location, activity, function or program that is not school -related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, *if the bullying creates a hostile environment at school for the target, infringes on their rights at school or materially and substantially disrupts the education process or the orderly operation of a school.* Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

Prevention, Intervention, Response

Prevention

- **develop, adhere to and update a plan to address bullying prevention and intervention in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians.**
- **student handbook shall include an age appropriate summary of the student related sections of the bullying prevention and intervention plan**
- **age appropriate instruction on bullying prevention in each grade that is incorporated into the curriculum of the school district or school and; the curriculum shall be evidence based.**

Prevention

- **plans must include provisions for informing parents and guardians about the bullying prevention curriculum of the school district or school and shall include, but not be limited to the following provisions:**
 - **how parents and guardians can reinforce the curriculum at home and support the school district or school plan;**
 - **the dynamics of bullying; and online safety and cyber-bullying .**

Intervention/Remediation

- **Types of support services available to the student bully, victim, witnesses, and any bystanders.**
- **(vi) clear procedures for restoring a sense of safety for a victim and assessing that victim's needs for protection;**
- **(vii) strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation of bullying or witnesses or has reliable information about an act of bullying;**
- **(x) a strategy for providing counseling or referral to appropriate services for perpetrators and victims and for appropriate family members of said students**

Support services available to the student bully, target, witnesses, and any bystanders

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- **(vii) strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation of bullying or witnesses or has reliable information about an act of bullying;**
- **(x) a strategy for providing counseling or referral to appropriate services for perpetrators and victims and for appropriate family members of said students**

Reporting Acts of Bullying, Cyberbullying and Retaliation

- **(ii) clear procedures for students, staff, parents, guardians, and others to report bullying or retaliation;**
- **(iii) a provision that reports of bullying or retaliation made be made anonymously; provided however that no disciplinary action shall be taken against a student solely on the basis of an anonymous report;**
- **Information regarding the availability and use of the bullying, reporting form.**

Reporting Acts of Bullying, Cyberbullying and Retaliation

- **(viii) procedures consistent with state and federal law for promptly notifying the parents or guardians of a victim and a perpetrator; provided, further, that the parents or guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation; and provided, further, that the procedures shall provide for immediate notification pursuant to regulations promulgated under this subsection by the principal or person who holds a comparable role to the local law enforcement agency when criminal charges may be pursued against the perpetrator;**

Procedures for the Prompt Investigation of Acts of Bullying

- **(iv) clear procedures for promptly responding to and investigating reports of bullying or retaliation**

Sample Bullying/Retaliation Incident Report Form

Date:

Time:

Type of incident being reported (check all that applies):

Bullying ____

Cyberbullying ____

Retaliation____

Name of Person Reporting Incident:

If you are not a student which best describes your role (circle one):

Teacher Parent

Guidance Counselor

School Nurse

Para

professional Maintenance

Food Service

Secretary or other support staff

Other (describe)

Name of Student/Victim (if different from above)

Homeroom:

Grade:

Other Student(s) Affected:

Homeroom:

Grade:

Alleged Perpetrator(s) of Bullying/Retaliation:

Homeroom:

Grade:

Describe the behaviors that were reported or witnessed::

Describe the incident: _

Witnesses present:

Physical evidence, if any:

____Graffiti

Signature and contact information of individual completing

Report:_____

Title:_____

Date received by principal:____/____/____

Disciplinary Actions for Acts of Bullying, Retaliation, and False Accusations

- **(v) the range of disciplinary actions that may be taken against a perpetrator for bullying or retaliation; provided, however, that the disciplinary actions shall balance the need for accountability with the need to teach appropriate behavior;**
- **(ix) a provision that a student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action;**

Professional Development and Training

- The plan for a school district, charter school, approved private day or residential school and collaborative school shall include a provision for ongoing professional development to build the skills of all staff members, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities and paraprofessionals, to prevent, identify and respond to bullying.
- The department shall identify and offer information on alternative methods for fulfilling the professional development requirements of this section, at least 1 of which shall be available at no cost to school districts, charter schools, approved private day or residential schools and collaborative schools.
- The plan shall include provisions for informing parents and guardians about the bullying prevention curriculum of the school district or school and shall include, but not be limited to:
 - (i) how parents and guardians can reinforce the curriculum at home and support the school district or school plan;
 - (ii) the dynamics of bullying; and
 - (iii) online safety and cyber-bullying.

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